

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING )  
PHARMACY, INC. PRODUCT LIABILITY ) MDL NO. 2419  
LITIGATION ) Master Dkt.: 1:13-md-02419-FDS  
                                      )

**SUPPLEMENTAL OBJECTION OF NON-PARTY ERLANGER HEALTH SYSTEMS,  
INC. TO SUBPOENA**

COMES NOW Non-Party Erlanger Health System, Inc. ("Erlanger"), having previously filed its Notice of Limited Appearance, and files its Supplemental Objection to Subpoena, showing this Honorable Court as follows:

Objection to the Subpoena was filed by Thorek Memorial Hospital (Dkt. 244) asserting *inter alia*, an objection to lack of jurisdiction. Erlanger incorporates that part of Thorek Memorial Hospital's objection and hereby supplements Erlanger's Objections by adding an objection to the Subpoena based on lack of jurisdiction. Erlanger is located in the Eastern District of Tennessee. The Subpoena served on Erlanger was issued from the United States District Court for the District of Massachusetts, rather than the United States District Court for the Eastern District of Tennessee. If the Court finds that such a Subpoena must issue from the district wherein the deponent resides, then the Subpoena at issue should be quashed for lack of jurisdiction.

This 9<sup>th</sup> day of July, 2013.

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 9, 2013, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants identified on the Notice of Electronic Filing, and paper copies will be served via U.S. Mail, postage pre-paid, to those indicated as non-registered participants.

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